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PATENT
Attorney Docket 44921-5029-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **William E. MUNGER *et al.***

Application No. **09/960,706**

Group Art Unit: **1631**

Filed: **September 24, 2001**

Examiner: **Majorie A. Moran**

For: **Identifying Drugs for and Diagnosis of Benign
Prostatic Hyperplasia Using Gene Expression
Profiles**

REQUEST FOR CONTINUED EXAMINATION (RCE)

This is a request for continued examination (RCE) under 37 C.F.R. 1.114 of U.S. Application 09/960,706 entitled Identifying Drugs for and Diagnosis of Benign Prostatic Hyperplasia Using Gene Expression Profiles

1. Please consider and enter the attached Amendment and Response Under 37 C.F.R. 1.114.
2. Additional Papers Submitted:
(i) Dictionary Definition of Computer.
3. Fee Calculation (37 C.F.R. 1.16)

CLAIMS AS AMENDED						
	Remaining		Previous	Extra	Rate	Total Fees
Total	15	minus	20	0	\$50.00 each=	0.00
Independent	2	minus	3	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
SUB-TOTAL =						0.00
Reduction by ½ for filing by a small entity						
TOTAL FEE =						0.00

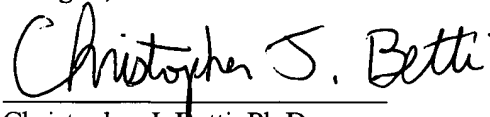
4. Constructive Petition: Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).
11/15/2006 11:17:29 AM 09960706 01 FC:1801 798.03 DA

5. Fee Payment: The Commissioner is hereby authorized to charge **\$790.00** to Deposit Account No. 50-0310 for payment of the request for continued examination filing fee (\$790.00), at the large entity rate. Further, as the time period for response extended to Saturday, November 11, 2006, this response is being filed on Monday, November 13, 2006 under the next business day rule. As such, no fee is believed due with this Response.

Dated: **November 13, 2006**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,

Morgan, Lewis & Bockius LLP

A handwritten signature in black ink that reads "Christopher J. Betti". The signature is written in a cursive style with a horizontal line underneath the name.

Christopher J. Betti, Ph.D.
Registration No. 56,890